

CRC COMMUNICATIONS LLC, D/B/A)	
OTELCO)	
)	
<i>Complainant,</i>)	
)	
v.)	D.T.C. 22-4
)	
MASSACHUSETTS ELECTRIC COMPANY)	
D/B/A NATIONAL GRID AND)	
VERIZON NEW ENGLAND INC.)	
)	
<i>Respondents</i>)	
)	

Massachusetts Electric Company d/b/a National Grid (“National Grid”) and Verizon New England Inc. d/b/a Verizon Massachusetts (“Verizon MA”) (together, the “Respondents”) hereby submit this motion to the Department of Telecommunications and Cable (“Department” or “DTC”) to request an extension of time to submit their Responses to the above-captioned Pole Attachment Complaint and Petition for Expedited Treatment (the “Complaint”) of CRC Communications LLC, d/b/a OTELCO (“OTELCO”), filed pursuant to G.L. c. 166, § 25A and 220 C.M.R. § 45.04. The Respondents state the following in support of the Motion:

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Respondents' responses to the Complaint are due within 14 days of service, *i.e.*, on April 28, 2022.

3. OTELCO's Complaint contains numerous factual assertions and claims against the Respondents, alleging imposition of discriminatory, unjust and unreasonable terms and conditions governing the construction specifications and related make-ready work for attaching to the Respondents' utility poles, pertaining to a voluminous number of pending pole attachment applications; it is not a single-issue Complaint with a narrow set of claims. Complaint at 1.

4. For example, the Complaint alleges against National Grid: (1) the make-ready work billed by National Grid to accommodate OTELCO's attachments was "extensive, time consuming and costly" (Complaint at 3); (2) National Grid's contractor improperly attributed remediation of pre-existing pole conditions and plant upgrades to OTELCO under the guise of make-ready costs (*id.*); (3) National Grid "unequivocally and unreasonably rebuffed" OTELCO's proposal to use "opposite side construction," also referred to as "boxing" to reduce make-ready costs (*id.* at 4); (4) National Grid unreasonably refused OTELCO's request for a detailed breakdown of the costs attributable to Make-Ready Work on each pole so that OTELCO could confirm its "suspicion" that certain costs to correct pre-existing non-compliance had been improperly classified as make-ready (*id.*); (5) National Grid is "threatening" to cancel OTELCO's pending applications for failure to pay the make-ready charges (*id.*); and (6) National Grid's "course of conduct" will result in the loss of over \$250,000 in various fees OTELCO has paid in connection with its pole applications (*id.* at 4-5). The 34-page Complaint is supported by nine exhibits and an affidavit.

5. To allow the Respondents sufficient time to develop fulsome, complete, and detailed responses to the Complaint, the Respondents require additional time to consult with their internal

third-party attachment representatives on the many details and allegations contained in OTELCO's Complaint. Thus, the Respondents request an extension of time until May 12, 2022 (*i.e.*, 14 days) to file their responses.

6. Per the Department's Procedural Rules, the Department has the discretion to grant an extension of time for good cause shown pursuant to 207 C.M.R. § 1.02(5).¹

7. Counsel for National Grid has discussed this request for an extension with counsel for OTELCO and is authorized to represent that OTELCO consents to the Motion.

¹ Extensions of time are similarly allowed, for good cause shown, pursuant to 220 C.M.R. § 1.02(5).

WHEREFORE, National Grid and Verizon MA respectfully request that the Department grant this Motion for Extension of Time and allow responses to the Complaint to be filed by May 12, 2022.

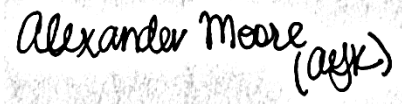
Respectfully submitted,

Massachusetts Electric Company
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